



09-10-04

IFW AF 1648
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Attorney's Docket No. 5470-238

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: MacDonald et al.

Art Unit: 1648

Serial No.: 09/288,837

Examiner: Z. Lucas

Filed: April 8, 1999

Confirmation No. 7924

For: **METHODS AND MODIFIED CELLS
FOR THE TREATMENT OF CANCER**

Date: September 9, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC §134, 37 CFR 1.191, and MPEP §1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated **March 9, 2004** at least twice rejecting or finally rejecting claims **84, 89-93, 95, 97-104, 109 and 114.**

☒ Enclosed is a check in the amount of **\$375.00** for the Appeal fee as provided by 37 C.F.R. § 1.17(b) (\$165.00 for small entity appeal fee and \$210.00 for petition for extension of time). Applicant claims small entity status according to 37 CFR 1.27.

☐ Payment by credit card is requested. Form PTO-2038 is attached.

☒ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

☐ Also enclosed: _____

☒ The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0220.

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Respectfully submitted,

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Date of Deposit: September 9, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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